# PERIODIC REVIEW REPORT

## For the Property Located at
## West 19th Street Development Site, New York, NY

*Prepared for*
**IAC/InterActiveCorp**
550 West 18th Street
New York, NY 10011

*Prepared by*

1001 6th Avenue
11th Floor
New York, NY 10018

March 13, 2019

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# ACRONYMS AND ABBREVIATIONS

| | |
|---|---|
| BBL | Blasland, Bouck and Lee, Inc. |
| BCA | Brownfield Cleanup Agreement |
| Con-Ed | Consolidated Edison Company of New York |
| EC | engineering control |
| IAC | IAC/Georgetown 19th Street LLC |
| IC | institutional control |
| Integral | Integral Engineering, P.C. |
| MGP | manufactured gas plant |
| MP | monitoring plan |
| NYSDEC | New York State Department of Environmental Conservation |
| OMP | operations and maintenance plan |
| PRR | periodic review report |
| SMP | Site Management Plan |
| Starbrite | Starbrite Waterproofing Co., Inc. |

# 1 INTRODUCTION

## 1.1 SITE SUMMARY

The Site, 80 Eleventh Avenue (Block 690, Lot 12, and Block 690, Lot 54), is one parcel of numerous parcels that comprise the former West 18th Street Gas Works Site, a former manufactured gas plant (MGP) operated by predecessors of Consolidated Edison Company of New York (Con-Ed). Former MGP operations impacted subsurface soil, groundwater, and soil vapor conditions on the Site.

The Site was redeveloped with a modern 10-story office building and was concurrently remediated circa 2008. Remediation was conducted pursuant to a Brownfield Cleanup Agreement (BCA), Index No. W2-1012-04-07, between the volunteers (multiple entities) and the New York State Department of Environmental Conservation (NYSDEC). In August 2006, Remedial Engineering, P.C. submitted a Final Engineering Report to NYSDEC that presented the results of environmental remediation as required by NYSDEC. On August 31, 2006, NYSDEC issued a Certificate of Completion approving the completion of the active remediation outlined in the Site BCA.

The institutional controls (ICs) and engineering controls (ECs) that comprised part of the Site remedy are summarized below.

### 1.1.1 Institutional Control

An environmental easement was recorded for the Site on August 2, 2006. The environmental easement imposes Site use restrictions, requires monitoring and maintenance of the ECs, and prohibits any modification or removal of the ECs without prior notification and/or approval of NYSDEC.

### 1.1.2 Engineering Controls

Two ECs comprise a portion of the Site remedy:

- Subsurface barriers, consisting of:
  - A barrier layer (comprised of a mud slab, waterproof/vapor barrier membrane, structural concrete slab, and foundation walls)
  - Site perimeter watertight sheeting and grouting.
- Continuous venting of the garage sub level of the building with an active mechanical venting system.

The Site perimeter watertight sheeting and grouting is located beneath the building foundation, and is therefore presumed to be in place and functional.

## 1.2 EFFECTIVENESS OF REMEDIAL PROGRAM

The Site Management Plan (SMP) prepared by Turner Construction Company and dated July 18, 2006, outlines the inspection, and operation and maintenance activities for the barrier layer and the venting system. Following initial occupancy (January 2008), IAC/Georgetown 19th Street LLC (IAC) has implemented the monitoring plan (MP) and operations and maintenance plan (OMP) contained within the SMP. The ICs and ECs have been certified and approved on an annual basis between 2007 and 2019. The most recent certification was submitted to NYSDEC on March 16, 2018.

The Site remediation, with the exception of the ongoing monitoring, and operations and maintenance, has been completed. Each annual certification, including the certification for 2019 discussed herein, has demonstrated that that remedy continues to be effective in achieving the remedial objective for the Site: the protection of human health and the environment.

## 1.3 COMPLIANCE

No areas of non-compliance relative to the SMP were identified during the reporting period.

## 1.4 RECOMMENDATIONS SUMMARY

No changes to the SMP are recommended at this time. Changes to the frequency for submittal of periodic review reports (PRRs) or for discontinued Site management are not recommended at this time.

# 2 SITE OVERVIEW

## 2.1 SITE LOCATION

The Site (Tax Block 690, Lot 46) is located in the West Chelsea neighborhood of Manhattan, between West 18th and West 19th streets and Tenth and Eleventh avenues. The Hudson River is approximately 200 ft to the west. The area around the Site contains a mix of commercial, residential, and industrial establishments. High-rise residential buildings are located on blocks immediately to the north, east, and south of the Site.

Prior to remediation, the Site consisted of a two-story brick structure (demolished prior to the start of remediation) that served as a mid- to long-term parking garage and a small vacant lot in the southwestern part of the property. Remedial investigations were performed in 2002 and 2003 by Blasland, Bouck and Lee, Inc. (BBL). Soil, groundwater, and soil vapor were found to be contaminated primarily with volatile and semivolatile compounds.

## 2.2 REMEDIATION CHRONOLOGY

The Remedial Action Work Plan prepared by BBL was developed to achieve several remedial goals, including the removal of impacted soil to a depth of 15 ft, limiting the migration of subsurface contaminants on and off the Site, and preventing the exposure of future Site occupants to any vapors or impacted material.

In 2005, foundation piles were installed and excavation of impacted soil commenced. Across the Site, the excavation depth varied from 12 to 25 ft. A subsurface perimeter barrier wall was installed to ensure any remaining contamination is contained such that it cannot migrate off the Site. As part of the foundation construction design, a barrier layer was installed to prevent the potential intrusion of volatile organic vapors into the building. Once the foundation was completed, a basement-level mechanical venting system was installed to prevent vapors from accumulating in the unlikely event of a vapor barrier breach. NYSDEC issued a Certificate of Completion on August 31, 2006.

No changes to the selected remedy or the Site have occurred since remedy selection.

# 3 EVALUATION OF REMEDY

IAC has completed 12 certifications (2007–2018) for the IC/ECs at the Site, which have been approved by NYSDEC. Each year, the inspection of the venting system has concluded that the system continues to function as designed, and the initial inspection of the barrier layer has identified cracks, staining, efflorescence, or observations of water that typically require repair. Each year, as necessary, repairs have been made to the barrier layer system and re-inspection has concluded that the barrier layer continues to function as designed. At the completion of the inspection/repair process, a certification has been made to NYSDEC that the ECs continue to function as designed and the remedy remains protective of public health and the environment.

# 4 IC/EC PLAN COMPLIANCE REPORT

## 4.1 IC/EC REQUIREMENTS AND COMPLIANCE

### 4.1.1 Institutional Control

The IC for the Site is an environmental easement. The easement stipulates the following:

1. Designates the Site for commercial and/or industrial use only (no residential use)
2. Requires monitoring and maintenance of the ECs developed for the Site
3. Grants NYSDEC uncontrolled access to the Site
4. Stipulates that any disturbance or alteration to the barrier layer may occur only after notification to and/or approval from NYSDEC
5. Requires annual certification of the ECs.

The SMP further restricts the use of groundwater at the Site without proper treatment or permission from NYSDEC.

John E. Osborn, P.C., as part of the 2019 annual certification, has confirmed through a title search performed by Advantage Title that, as of February 18, 2019, the easement remains in place, and no changes or legal amendments have been made to the easement filing. The title search is attached as Appendix D.

### 4.1.2 Engineering Controls

Two ECs comprise a portion of the Site remedy:

- Subsurface barriers, consisting of:
  - A barrier layer (comprised of a mud slab, waterproof/vapor barrier membrane, structural concrete slab and foundation walls)
  - Site perimeter watertight sheeting and grouting.
- Continuous venting of the garage sub level of the building with an active mechanical venting system.

The Site perimeter watertight sheeting and grouting is located beneath the building foundation, and is therefore presumed to be in place and functional. The SMP does not provide an OMP or an MP for this EC.

#### 4.1.2.1 Barrier Layer

As part of the 2019 certification process, Integral Engineering, P.C. (Integral) visited the Site on February 7, 2019, and inspected the perimeter foundation walls and the foundation slab. Integral observed isolated evidence of water infiltration at one location in the basement concrete walls. In addition, Tom Casey, a building engineer for IAC, accompanied Integral on the Site inspection and noted that in 2018 there was water entering the basement around the fire main pipe after a large storm event. As a result of Integral's and the building engineer's observations, Integral recommended grout injection to repair the two locations. Grout injection was performed by Starbrite Waterproofing Co., Inc. (Starbrite) on February 21, 2019, in accordance with the OMP. Integral re-inspected the locations on February 27, 2019 at the completion of the grout repair program and concluded that the barrier layer was effectively inhibiting water infiltration.

#### 4.1.2.2 Venting System

As part of the 2019 certification process, Integral performed an inspection of the venting system to verify that the fans met design air flows consistent with the requirements of the SMP. While individual fans were operating at about 85-95 percent of individual design flow, others were above the design flow such that the total flow of all fans was consistent with the total design flow. Therefore, Integral found the system to be operating consistent with or above design criteria. The datasheets are included in Appendix A.

## 4.2 IC/EC CERTIFICATION

Integral has concluded that the barrier layer and venting systems continue to function as designed. John E. Osborn, P.C. has concluded that the environmental easement remains in place. As such, Integral concludes that the remedy continues to be protective of human health and the environment. The ICs and ECs have been certified in the Institutional and Engineering Controls Certification Form (Appendix B).

# 5 BARRIER LAYER INSPECTION

## 5.1 OBSERVATIONS

As part of the 2019 certification process, Integral visited the Site on February 7, 2019, and inspected the perimeter foundation walls and the foundation slab.

At the time of the visual inspection, the below-grade level of the building was being used for parking, storage, and mechanical equipment. The building was occupied at the time of the inspection and cars were parked in the garage portion of the below-grade level. Integral inspected the unobstructed concrete floor slab and foundation walls for visible cracks and any evidence of water infiltration, and looked for areas of stain growth, sediment deposits, and efflorescence build-up.

### 5.1.1 Foundation Slab Observations

A traffic-bearing waterproofing coating is applied to the foundation slab in the parking portion of the below-grade level, as well as in the mechanical and storage rooms along the north and east perimeter walls. The traffic-bearing waterproofing coating prevents the determination of whether there are small-width (hairline) cracks in the concrete slab on grade. However, Integral did not observe cracks through the traffic-bearing waterproofing coating, and did not notice any pockets of water trapped under the traffic-bearing waterproofing coating.

Traffic-bearing waterproofing coating is not applied in the storage rooms along the west foundation wall, and the floors in these rooms showed no evidence of water infiltration during this reporting period.

### 5.1.2 Foundation Wall Observations

The foundation wall is a cast-in-place, reinforced concrete wall that encloses the entire perimeter of the below-grade space. The interior of the wall is typically painted with white or gray paint. In locations where the slab on grade has a traffic-bearing waterproofing coating, the coating extends vertically up the wall for 4 to 6 in. There are also several penetrations through the north foundation wall where underground utilities enter the building.

#### 5.1.2.1 February 2019 Inspection

During the inspection, Tom Casey, the IAC Building Engineer, told Integral that water entered the foundation wall penetration of the fire main pipe in the North Water Meter Room for several days after a large rain event in 2018. This area was not actively discharging at the time of Integral's inspection. Integral observed one instance of active water infiltration during this

reporting period in the stairwell located at the northwest corner of the building. Integral did observe historical evidence of staining or efflorescence (but not active water infiltration) at various locations around the perimeter foundation wall. See Figure 1 for the locations of these observations.

## 5.2 DISCUSSION AND RECOMMENDATIONS

Integral's discussion and recommendations for repairs to the barrier-layer system, as part of the OMP, are below.

### 5.2.1 Observations of and Recommendations for 20188 Repairs

In March 2018, three locations with evidence of water infiltration were repaired with grout injection. Integral inspected these locations during the 2019 inspection and found that they remained effective in terms of preventing water infiltration.

### 5.2.2 Foundation Slab Recommendations

Consistent with previous years' findings, the pattern and size of the small-width cracks in the concrete topping slab inside of the storage rooms are typical for concrete shrinkage cracks. These cracks result from the loss of moisture from the surface of the concrete during curing, are typically shallow in depth, and would not allow water to penetrate through the slab. Therefore, Integral believes that they do not represent a breach or significant damage to the barrier-layer system. The isolated growth of the cracks may be attributed to environmental factors, such as temperature and humidity. Integral recommends no remedial action be taken at this time in this area.

### 5.2.3 Foundation Wall Recommendations

#### 5.2.3.1 February 2019 Inspection

Upon completion of the 2019 inspection, Integral recommended that the observed area of active water infiltration and the fire main penetration leak location listed in Section 5.1.2 above be repaired using the grout injection technique described in the OMP.

## 5.3 REPAIRS

### 5.3.1 February 2019 Grout Injection Repairs

The repair of the two locations identified by the 2019 inspection was performed by Starbrite on February 21, 2019, under the observation of Integral. The areas were grout-injected following the OMP guidelines.

The location of the repairs made during this reporting period is shown in plan view on Figure 1. Photographs of the repairs can be found in Appendix C.

# 6 MONITORING PLAN COMPLIANCE AND OMP COMPLIANCE

## 6.1 COMPONENTS

The OMP was developed to provide procedures to operate and maintain ICs and ECs on the Site. The OMP includes a detailed protocol to be followed in the event that any compliance issues are noted in connection with the environmental easement during annual inspection of the ICs. The OMP also includes repair procedures for the ECs that are part of the Site remedy. These repairs may become necessary as determined through evaluation of Site information gathered in accordance with the MP. These operation and maintenance actions ensure that the Site remedy continues to be effective for the protection of public health and the environment through continued implementation of the ECs and ICs.

### 6.1.1 Barrier Layer

IAC instructs its management team to perform preventative maintenance of the barrier layer. The team has been instructed to monitor daily activities that have the potential to compromise the integrity of the barrier layer. Examples of such activities would include, but are not limited to:

1. Movement or storage of heavy objects with the potential to affect the integrity of the barrier layer
2. Installation of floor drains, elevator pits, or other building features that may compromise the barrier layer
3. Spilled liquid or chemicals in direct contact with the barrier layer
4. Activities (e.g., foundation construction) at adjacent properties.

The management team has been instructed to look for and report to the Building Manager any actions or conditions that have the potential to compromise the intended remedial function of the barrier layer. The Building Manager will immediately contact a dedicated qualified professional to determine if these activities have impacted the integrity of the barrier layer and if the barrier layer requires repair.

### 6.1.2 Venting System

The OMP requires the venting system to be maintained and operated in accordance with its manufacturer's specifications. IAC has instructed its management team to be aware of the operating standards of the venting system and to make observations that may indicate that the

system is not in compliance with its operation standards. These observations include, but are not limited to:

1. Persistent odors or exhaust in the cellar of the building
2. Fans that are not operational.

The management team has been instructed to look for and report any actions or conditions that have the potential to compromise the intended function of the venting system to the Building Manager. The Building Manager will immediately contact the dedicated, qualified professional to determine if these activities have impacted the function of the venting system and if the venting system requires repair. As necessary, preventative maintenance (e.g., replacing filters, cleaning lines, etc.) repairs and/or adjustments will be made to ensure the system's continued effectiveness.

## 6.2 SUMMARY OF OPERATIONS AND MAINTENANCE COMPLETED

Monitoring consistent with the protocol described in Section 6.1 was performed by the building management team during the reporting period.

## 6.3 CONCLUSIONS/RECOMMENDATIONS FOR MONITORING PLAN COMPLIANCE

Based on the results of the operations and maintenance activities completed during the reporting period, the ECs continue to perform as designed. The operating ECs are protective of human health and the environment.

# 7 OVERALL PRR CONCLUSIONS AND RECOMMENDATIONS

The requirements of the SMP were met during the reporting period. As part of the 2019 annual certification process, both the ICs and ECs for the Site have been documented to be currently in place and functional as designed. Integral concludes that the remedy continues to be protective of human health and the environment.

Integral does not recommend changing the frequency of the submittal of PRRs at this time.

Please contact Patrick S. McGuire, E.I.T. (212.440.6710, pmcguire@integral-corp.com) or Keith P. Brodock, P.E. (212.440.6702, kbrodock@integral-corp.com) at Integral with any questions regarding this PRR.

# APPENDIX A

## FAN INSPECTION REPORT

# Summary

| | |
|---|---|
| Project: | IAC Fan Inspection |
| Engineer: | Patrick McGuire |
| Date: | February 7, 2019 |

| System | Design Flow | Actual Flow | % of Design |
|---|---|---|---|
| GSF-C-1 | 26,000 CFM | 26,991 CFM | 104% |
| GEF-C-1 | 26,000 CFM | 27,367 CFM | 105% |
| GEF-C-2 | 800 CFM | 1,413 CFM | 177% |
| GEF-C-4 | 1,000 CFM | 953 CFM | 95% |
| GEF-C-5 | 800 CFM | 676 CFM | 84% |
| **Total** | **54,600 CFM** | **57,399 CFM** | **105%** |

# GSF-C-1

Project: IAC Fan Inspection
Engineer: Patrick McGuire
Date: February 7, 2019

**General**

| | | | |
|---|---|---|---|
| Motor HP: | 20 | Motor RPM: | 1,776 |
| Voltage Rated: | 208V | Voltage Actual: | *Not measured* |
| Amperage Rated: | 57A | Amperage Actual: | 42.3A |

**Velocity Readings (FPM)**

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 2,282 | 2,150 | 2,233 | 2,423 | 2,121 | 2,109 | 2,271 | 2,160 |
| 2,069 | 2,295 | 2,300 | 2,010 | 1,945 | 1,945 | 2,053 | 2,282 |
| 1,663 | 1,713 | 1,834 | 2,005 | 2,011 | 2,011 | 1,922 | 2,023 |

**Calculations**

| | | | |
|---|---|---|---|
| Duct Shape | Rectangular | Average Velocity | 2,076 FPM |
| Height | 26 inches | Design Flow | 26,000 CFM |
| Width | 72 inches | **Total Flow** | **26,991 CFM** |
| Area | 13 ft² | % of Design | 103.8% |

# GEF-C-1

Project: IAC Fan Inspection
Engineer: Patrick McGuire
Date: February 7, 2019

**General**

| | | | |
|---|---|---|---|
| Motor HP: | 20 | Motor RPM: | 1,795 |
| Voltage Rated: | 208V | Voltage Actual: | *Not measured* |
| Amperage Rated: | 54A | Amperage Actual: | 33A |

**Velocity Readings (FPM)**

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 2,103 | 2,357 | 2,548 | 2,326 | 2,177 | 1,932 | 2,169 | 1,767 | 2,045 | 1,385 |
| 2,041 | 2,208 | 2,386 | 2,224 | 1,978 | 2,172 | 2,131 | 1,883 | 2,228 | 1,818 |
| 1,684 | 1,455 | 1,415 | 1,852 | 1,811 | 2,021 | 1,977 | 1,649 | 2,038 | 1,769 |
| 1,187 | 988 | 1,140 | 1,226 | 1,181 | 1,711 | 1,673 | 1,546 | 1,847 | 1,548 |
| 1,294 | 868 | 1,028 | 1,407 | 1,174 | 1,683 | 1,627 | 1,647 | 2,042 | 1,497 |
| 1,258 | 1,004 | 1,123 | 1,683 | 1,253 | 1,744 | 1,688 | 1,605 | 1,952 | 1,454 |

**Calculations**

| | | | |
|---|---|---|---|
| Duct Shape | Rectangular | Average Velocity | 1,710 FPM |
| Height | 24 inches | Design Flow | 26,000 CFM |
| Width | 96 inches | **Total Flow** | **27,367 CFM** |
| Area | 16 ft² | % of Design | 105.3% |

# GEF-C-2

Project: IAC Fan Inspection
Engineer: Patrick McGuire
Date: February 7, 2019

**General**

| | | | |
|---|---|---|---|
| Motor HP: | 0.5 | Motor RPM: | 1,736 |
| Voltage Rated: | 208V | Voltage Actual: | *Not measured* |
| Amperage Rated: | 1.8A | Amperage Actual: | 1.5A |

**Velocity Readings (FPM)**

| | | | |
|---|---|---|---|
| 837 | 950 | 942 | 831 |
| 879 | 992 | 1,013 | 924 |
| 783 | 1,004 | 1,015 | 926 |

**Calculations**

| | | | |
|---|---|---|---|
| Duct Shape | Rectangular | Average Velocity | 925 FPM |
| Height | 10 inches | Design Flow | 800 CFM |
| Width | 22 inches | **Total Flow** | **1,413 CFM** |
| Area | 1.5 ft² | % of Design | 176.6% |

# GEF-C-4

Project: IAC Fan Inspection
Engineer: Patrick McGuire
Date: February 7, 2019

**General**

| | | | |
|---|---|---|---|
| Motor HP: | 0.5 | Motor RPM: | 1,731 |
| Voltage Rated: | 208V | Voltage Actual: | *Not measured* |
| Amperage Rated: | 2.5A | Amperage Actual: | 1.5A |

**Velocity Readings (FPM)**

| | | |
|---|---|---|
| 590 | 792 | 723 |
| 677 | 687 | 738 |
| 702 | 670 | 656 |

**Calculations**

| | | | |
|---|---|---|---|
| Duct Shape | Rectangular | Average Velocity | 693 FPM |
| Height | 11 inches | Design Flow | 1,000 CFM |
| Width | 18 inches | **Total Flow** | **953 CFM** |
| Area | 1.4 ft² | % of Design | 95.3% |

# GEF-C-5

Project: IAC Fan Inspection
Engineer: Patrick McGuire
Date: February 7, 2019

**General**

| | | | |
|---|---|---|---|
| Motor HP: | 20 | Motor RPM: | 1,642 |
| Voltage Rated: | 208V | Voltage Actual: | *Not measured* |
| Amperage Rated: | 2.5A | Amperage Actual: | 1.6A |

**Velocity Readings (FPM)**

| | | | |
|---|---|---|---|
| 588 | 619 | 610 | 552 |
| 635 | 635 | 622 | 603 |

**Calculations**

| | | | |
|---|---|---|---|
| Duct Shape | Rectangular | Average Velocity | 608 FPM |
| Height | 8 inches | Design Flow | 800 CFM |
| Width | 20 inches | **Total Flow** | **676 CFM** |
| Area | 1.1 ft² | % of Design | 84.4% |

# APPENDIX B

## INSTITUTIONAL AND ENGINEERING CONTROLS CERTIFICATION FORM

**ENCLOSURE 2**
**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**
**Site Management Periodic Review Report Notice**
**Institutional and Engineering Controls Certification Form**

**Box 1**

**Site Details**

| | |
|---|---|
| **Site No.** | **C231017** |
| **Site Name** | **19th Street Development Site** |
| Site Address: | 80 11th Avenue Zip Code: 10011 |
| City/Town: | New York |
| County: | New York |
| Site Acreage: | 0.7 |
| Reporting Period: | February 11, 2018 to February 11, 2019 |

| | YES | NO |
|---|---|---|
| 1. Is the information above correct? | ☑ | ☐ |
| If NO, include handwritten above or on a separate sheet. | | |
| 2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period? | ☐ | ☑ |
| 3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 275-1.11(d))? | ☐ | ☑ |
| 4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period? | ☐ | ☑ |
| **If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.** | | |
| 5. Is the site currently undergoing development? | ☐ | ☑ |

**Box 2**

| | YES | NO |
|---|---|---|
| 6. Is the current site use consistent with the use(s) listed below? Commercial and Industrial | ☑ | ☐ |
| 7. Are all ICs/ECs in place and functioning as designed? | ☑ | ☐ |

**IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.**

**A Corrective Measures Work Plan must be submitted along with this form to address these issues.**

Signature of Site Owner, Remedial Party or Designated Representative

Date

**Box 3**

**SITE NO. C231017**

**Description of Institutional Controls**

| Parcel | Owner | Institutional Control |
|---|---|---|
| **690-12** | Responsive Realty, LLC | Landuse Restriction<br>Site Management Plan |
| **690-54** | Responsive Realty, LLC | Landuse Restriction<br>Site Management Plan |

**Box 4**

**Description of Engineering Controls**

| Parcel | Institutional Control |
|---|---|
| **690-12** | Subsurface Barriers<br>Vapor Mitigation |
| **690-54** | Subsurface Barriers<br>Vapor Mitigation |

**Engineering Controls Details for Site No. C231017**

**Parcel: 690-12**

An Environmental Easement for the property was filed on July 21, 2006, restricting future use to industrial/commercial, and requiring: 1) monitoring and maintenance of the subsurface barrier, 2) continuous operation of a sub-level ventilation system and 3) annual certification.

**Parcel: 690-54**

An Environmental Easement for the property was filed on July 21, 2006, restricting future use to industrial/commercial, and requiring: 1) monitoring and maintenance of the subsurface barrier, 2) continuous operation of a sub-level ventilation system and 3) annual certification.

**Box 5**

**Periodic Review Report (PRR) Certification Statements**

1. I certify by checking "YES" below that:

    a. The Periodic Review Report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

    b. To the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

| YES | NO |
|---|---|
| ☑ | ☐ |

2. If this site has an IC/EC Plan (or equivalent as required in the Decision Document), for each Institutional Control or Engineering Control listed in Boxes 3 and/or 4, I certify by checking "YES" below that all of the following statements are true:

    a. The Institutional Control and/or Engineering Control(s) employed at this site is unchanged since the date that the Control was put in place, or was last approved by the Department;

    b. Nothing has occurred that would impair the ability of such Control, to protect human health and the environment;

    c. Access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;

    d. Nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and

    e. If a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

| YES | NO |
|---|---|
| ☑ | ☐ |

**IF THE ANSWER TO EITHER QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.**

**A Corrective Measures Work Plan must be submitted along with this form to address these issues.**

Signature of Site Owner, Remedial Party or Designated Representative

Date

Box 6

**Control Certifications**
**Site No. C231017**

**Site Owner or Designated Representative Signature**

I certify that all information and statement in Boxes 1, 2 & 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Tom Panissidi (print name) at 555 W 18th St, New York, NY (print business address)

am certifying as Owner's Representative (Owner or Remedial Party)

for the site named in the Site Details section of this form.

Tom Panissidi — Signature of Site Owner or Representative Rendering Certification

3/13/19 — Date

**IC/EC CERTIFICATIONS**

**Box 7**

**Professional Engineer Signature**

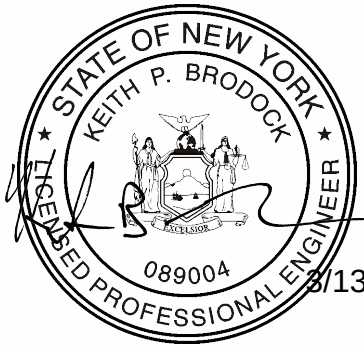
I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Keith P. Brodock, P.E. at 1001 6th Avenue, 11th Floor, New York, NY

print name — print business address

am certifying as a Professional Engineer for the Owner.

Owner or Remedial Party




3/13/2019

Signature of Professional Engineer, for the Owner or Remedial Party, Rendering Certification

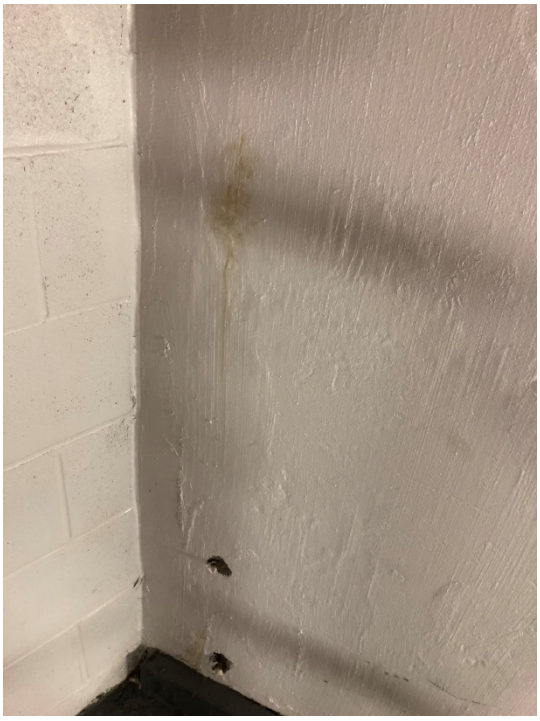
Stamp (Required for PE)

Date

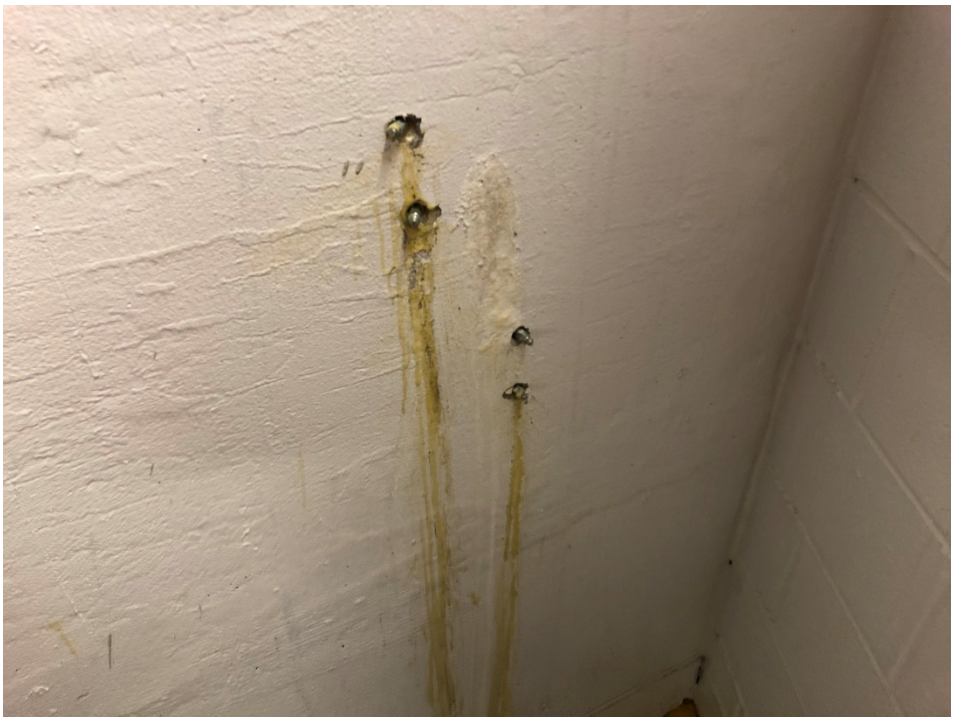
# APPENDIX C

## INSPECTION & REPAIR PHOTOS

**IAC/InterActive Corp.**
**Inspection & Repair Photos**
**Site Photographs from February 2019**

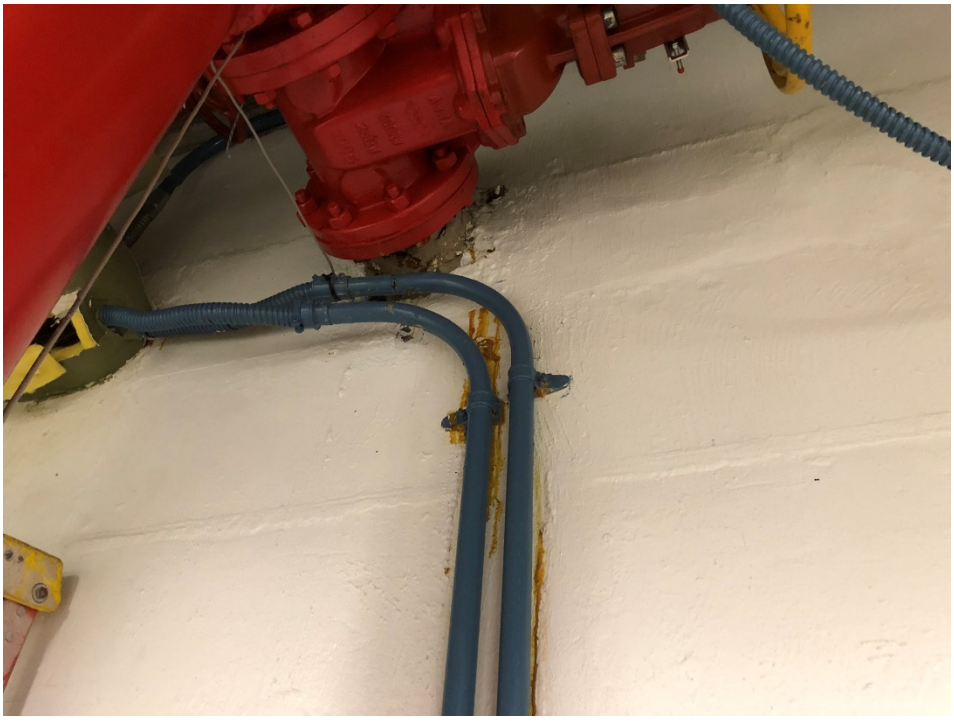


Photograph 1. New Evidence of Active Water Infiltration on Foundation Wall in Northwest Stairwell (February 7, 2019)



Photograph 2. 2018 Grout Injection Location (February 7, 2019)

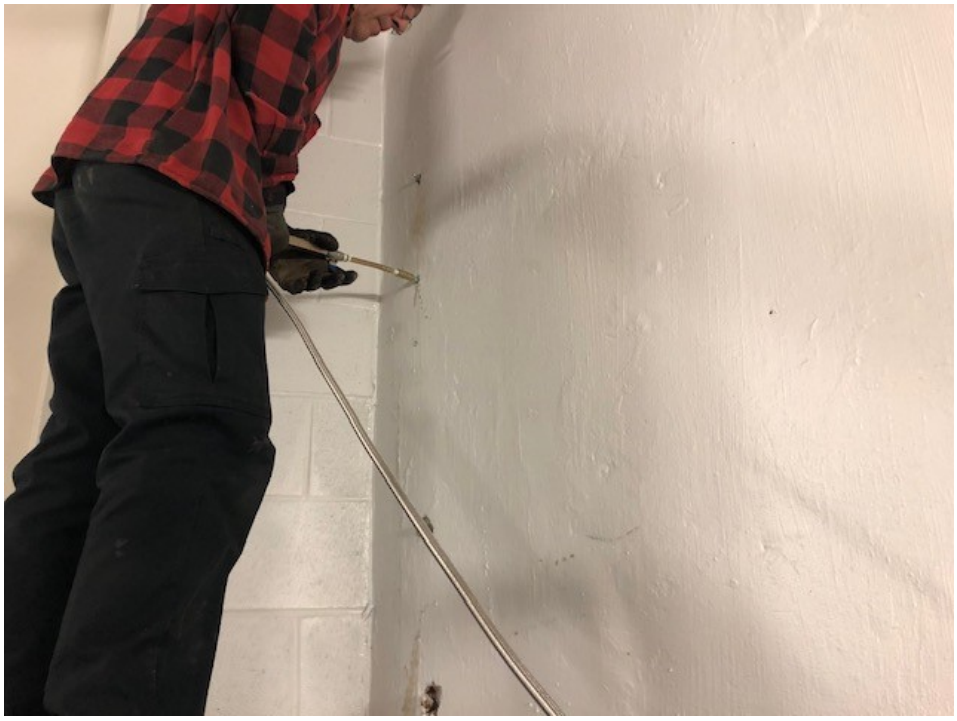
**IAC/InterActive Corp.**
**Inspection & Repair Photos**
**Site Photographs from February 2019**



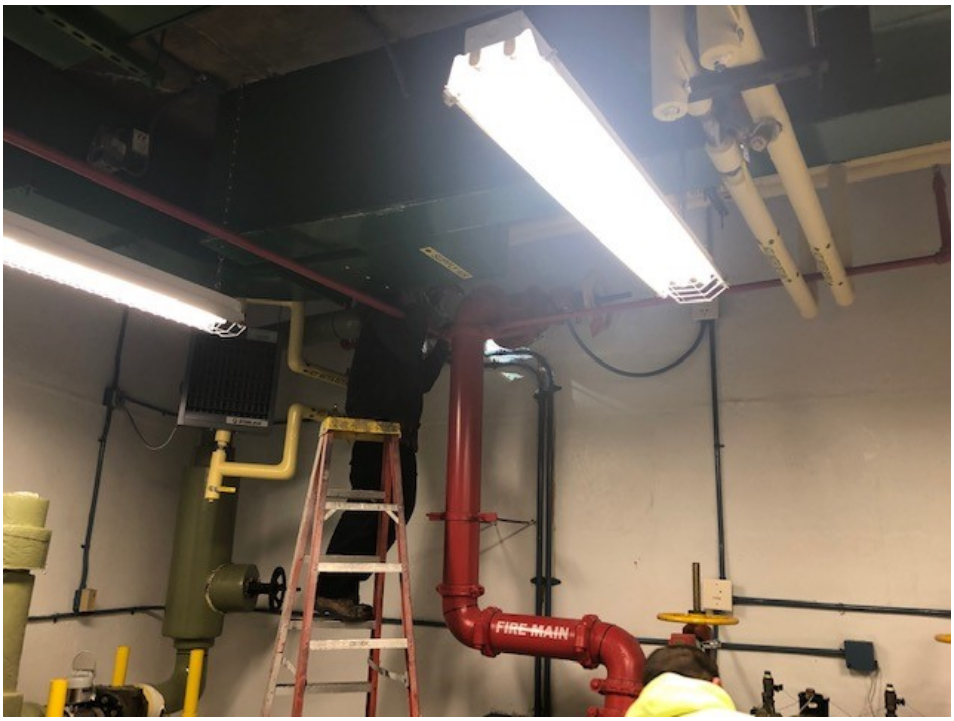
Photograph 3. Leaking Fire Main Pipe Penetration (February 7, 2019)

Photograph 4. New Foundation Wall Stain in Fire Pump Room (February 7, 2019)

**IAC/InterActive Corp.**
**Inspection & Repair Photos**
**Site Photographs from February 2019**

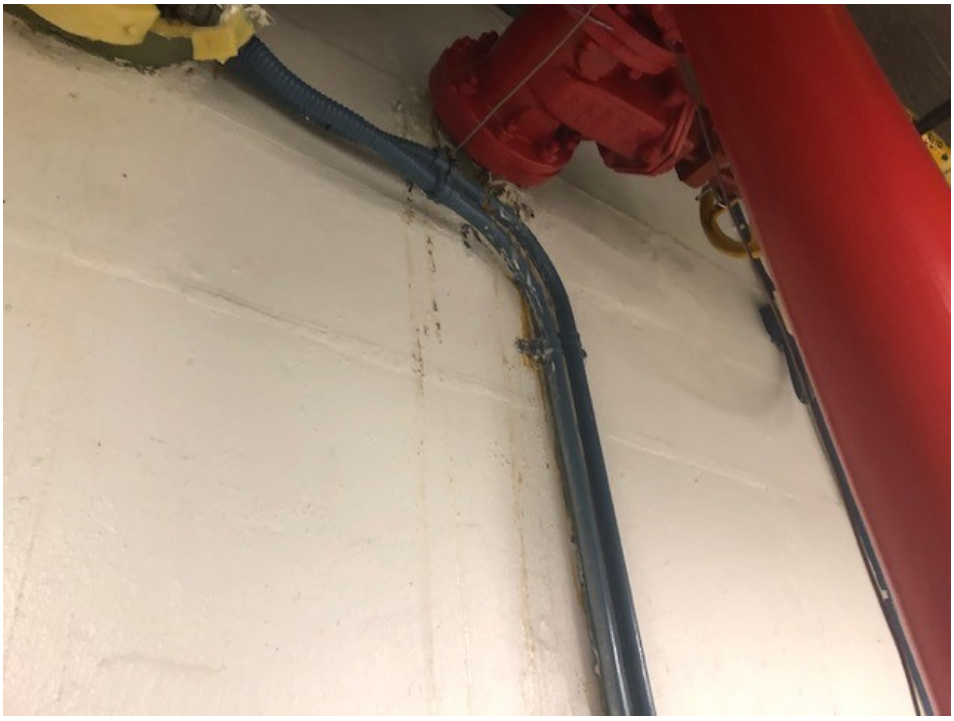


Photograph 5. Grout Injection around Water Infiltration Stain in Northwest Stairwell (February 21, 2019)

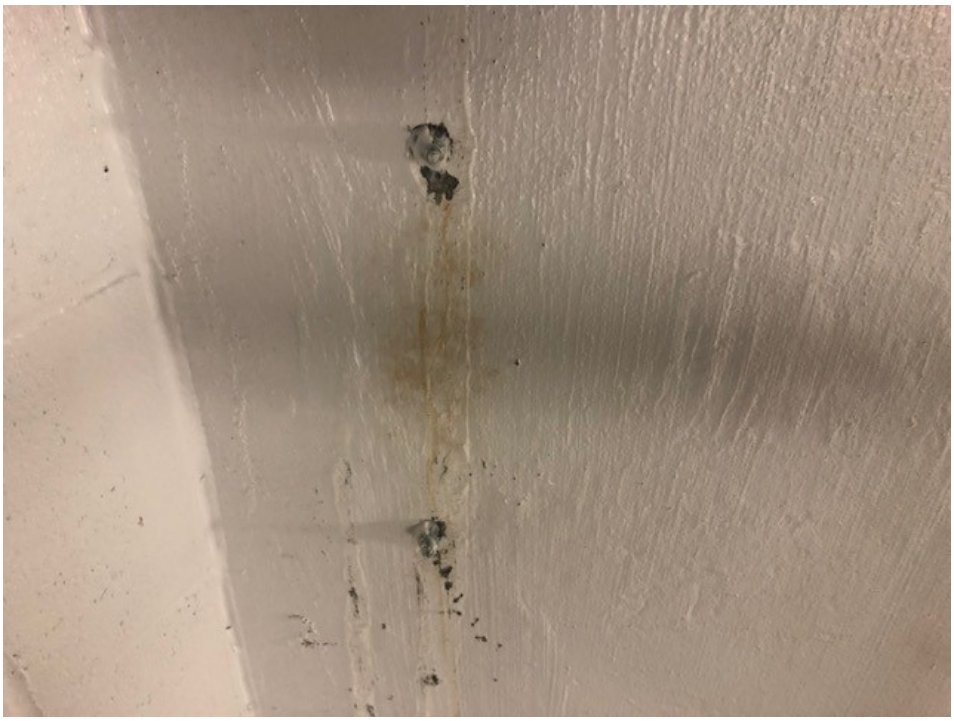



Photograph 6. Starbrite Drilling Holes for Grout Injection around Fire Main Pipe Penetration in Foundation (February 21, 2019)

**IAC/InterActive Corp.**
**Inspection & Repair Photos**
**Site Photographs from February 2019**



Photograph 7. Fire Main Pipe Penetration in Foundation Wall after Grout Injection (February 21, 2019)



Photograph 8. Water Infiltration Stain in Northwest Stairwell after Grout Injection (February 21, 2019)

# APPENDIX D

## TITLE SEARCH

March 6, 2019

John E. Osborn, P.C.
Seven Penn Plaza
Suite 914
New York, NY 10001
Attn.: Daniel H. Crow, Esq.

Dear Mr. Crow:

Company hereby certifies that a search has been run from March 1, 2018 to February 18, 2019, the current county effective date, to locate any documents subsequently recorded in connection with the Environmental Easement recorded in CRFN 2006000437027 for premises known and designated as Block 690 and Lots 12 and 54 on the New York County Tax Assessment Map). Company finds no subsequently recorded documents found of record.

Liability is limited to fees paid.

If you have any questions please contact 631-424-6100 or email questions@advantagetitle.com.

Very truly yours,

*Kathy Randazzo*

Kathy Randazzo
Executive Vice President

| | |
|---|---|
| Title No.: | SSA-41733-18 |
| Reference: | Easement |
| Effective Date: | February 5, 2019 9:00 am |